

Sixth Appellate District

San Jose, California

MONDAY, AUGUST 21, 2006

H028609 SCOTT CO. OF CALIFORNIA v. UNITED STATES FIDELITY & GUARANTY INSURANCE COMPANY, et al.

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Duffy, J.)
Filed August 21, 2006

H029216 PEOPLE v. JOHNSON

The judgment is modified to reflect that the sentence for attempted robbery is hereby stayed pursuant to Penal Code section 654. The trial court is directed to amend the abstract of judgment to so reflect and forward a certified copy to the Department of Corrections. In addition, the case is remanded to the trial court to determine the amount of the court facilities surcharge under Government Code section 70372, 70375, 70401, and 76100. The trial court shall prepare a new abstract of judgment, including its finding of the applicable amount of the court facilities surcharge and forward a certified copy to the Department of Corrections. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed August 21, 2006

H028784 TRYHORN MUTUAL WATER SYSTEM v. CRUZ et al.

The order awarding attorney's fees is reversed and the case is remanded to the trial court for further proceedings so that the trial court may exercise its discretion regarding whether to allocate fees. The parties are to bear their own costs on appeal. (not published)
(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed August 21, 2006

TUESDAY, AUGUST 22, 2006

H028702 PEOPLE v. SHERMAN

The judgment is reversed. (not published)
(Rushing, P.J.; We concur: Premo, J., Duffy, J.)
Filed August 22, 2006

H028762 JKH ENTERPRISES, INC. v. DEPARTMENT OF INDUSTRIAL RELATIONS

The trial court's order denying JKH's petition for writ of mandate and granting the Department's request for a preliminary injunction is affirmed. (not published)
(Duffy, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian, J.)
Filed August 22, 2006

Sixth Appellate District

San Jose, California

Tuesday, August 22, 2006 (continued)

H028823 PEOPLE v. RUBEN C.

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed August 22, 2006

H027711 PEOPLE v. CARDONA

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Mihara, J., McAdams, J.)
Filed August 22, 2006

The following case is submitted this date:

H030249 THERESA P., et al. v. SUPERIOR COURT

WEDNESDAY, AUGUST 23, 2006

H029628 PEOPLE v. BAQIR

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed August 23, 2006

H028933 ATKINSON v. ELK CORPORATION OF TEXAS

As to Atkinson's cause of action for breach of Elk's written warranty, summary adjudication is reversed. The matter is remanded to the trial court for further proceedings consistent with this opinion. In all other respects, the judgment is affirmed. Costs on appeal to appellant. (published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed August 23, 2006

H029319 PEOPLE v. ROMAN V.

The judgment is affirmed. (not published)
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed August 23, 2006

THURSDAY, AUGUST 24, 2006

H028649 BURNS, et al. v. CITY OF LOS ALTOS

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed August 24, 2006

FRIDAY, AUGUST 25, 2006

The following case is submitted this date:

H030423 RAEINEZ D. v. SUPERIOR COURT

Sixth Appellate District

San Jose, California

Friday, August 25, 2006 (continued)

H028471 PEOPLE v. ORMONDE

The judgment is reversed. On remand, the trial court is to set aside defendant's guilty plea, vacate the order denying defendant's motion to suppress evidence, and proceed on the motion in accordance with the views expressed in this opinion. (not published)

(McAdams, J.; We concur: Elia, Acting P.J., Mihara, J.)
Filed August 25, 2006

H029224 PEOPLE v. BAEZ

The judgment is affirmed. (not published)
(McAdams, J.; I concur: Bamattre-Manoukian, Acting P.J.;
Concurring opinion by Mihara, J.)
Filed August 25, 2006

H029103 PEOPLE v. AGUAYO

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)
Filed August 25, 2006

H029302 PEOPLE v. CRUZ

The judgment is affirmed. (not published)
(McAdams, J.; I concur: Bamattre-Manoukian, Acting P.J.;
Concurring opinion by Mihara, J.)
Filed August 25, 2006

H028882 PEOPLE v. GOLDEN

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; I concur: Mihara, J.;
Concurring and dissenting opinion by McAdams, J.)
Filed August 25, 2006

H029676 PEOPLE v. GEORGE R.

The order committing the minor to CYA is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)
Filed August 25, 2006

H027817 PAJARO VALLEY WATER v. AMRHEN et al.

By the Court*:

Appellants' petition for rehearing is granted.
Filed: August 25, 2006

*Before Rushing, P.J., Premo, J. and Bamattre-Manoukian, J.